

SC No. 378/18
State Vs. Ashish Sharma
FIR No. 64/18
P.S. Special Cell

27.04.2019

ON BAIL APPLICATIONS

Present : Sh. S.K.Kain, learned Addl. PP for the State.

Sh. Rajiv Mohan and Sh. Swapnil Krishna, Advocate for
accused Lalit.

Sh. Sumit Sharma, Advocate for accused Asim Ali.

Sh. Anil Bhardwaj, Advocate for accused Praveen and
Rajender.

Sh. K. Singhal and Sh. Nishant Bhardwaj, Advocate for
accused Ashish Sharma.

IO/ SI Anuj in person.

Arguments heard on the bail application moved on behalf of
accused Lalit Sukeja.

Be put up for rebuttal arguments/ orders on **09.05.2019**.

Bail applications of accused Praveen Saini and Rajender be also
put up on the same date for arguments/ consideration.

Further, reply to miscellaneous application moved on behalf of
accused Lalit Sukeja received from Superintendent, Tihar Jail. Perusal of the
same reveals that general condition of the applicant/ accused Lalit Sukeja is
stable and satisfactory and all prescribed medication is being provided to him
from Jail Dispensary itself. In view thereof, no further directions are required
on the application and the same accordingly stands disposed off as
dismissed.

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Further, an application U/Sec.91 Cr.P.C. seeking necessary directions for to preserve the CDRs of the mobile numbers 9996461930 and 9213939569 of the applicant accused Lalit Sukeja and his brother-in-law, Amit respectively for the period between 01.05.2018 to 31.05.2018.

Arguments heard.

Considering the relevant data i.e. the CDR and tower locations may be destroyed by the mobile operators after the lapse of period of one year. The said data may form a relevant piece of evidence in favour of accused or prosecution and is therefore, necessary to be preserved to assist the court in arriving at the truth. Hence, court is of the opinion that application u/s 91 Cr.PC moved on behalf of accused needs to be allowed and the **IO is directed to take necessary steps for preservation of CDRs and tower location of the mobile numbers 9996461930 and 9213939569 of the applicant accused Lalit Sukeja and his brother-in-law, Amit, for the period between 18.05.2018 (the date on which the phone was put on surveillance) to 31.05.2018.**

Application is disposed of accordingly. Status report be filed on next date of hearing. Copy of order be given dasti to IO.

Be put up on the date already fixed i.e. **09.05.2019.**

(Anil Antil)
Addl. Sessions Judge-04,
New Delhi District, Patiala House Courts
New Delhi/27.04.2019